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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,376	12/08/2003	Haryanto Chandra	NSCIP288/P05766	4405
22434	7590	02/22/2006	EXAMINER	
BEYER WEAVER & THOMAS LLP			WOOD, KEVIN S	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
			2874	

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/731,376	<b>Applicant(s)</b> CHANDRA, HARYANTO	
	<b>Examiner</b> Kevin S. Wood	<b>Art Unit</b> 2874	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7,9,13-21, 23 and 26 is/are rejected.
- 7) ☒ Claim(s) 8,10-12,22,24 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **2<sup>nd</sup> NON-FINAL REJECTION**

### ***Response to Amendment***

1. This action is responsive to the Amendment filed on 9 December 2005. Claims 1, 9, 14, and 23 have been amended. Claim 3 has been cancelled. No new claims have been added. Claims 1, 2, and 4-26 are pending in the application.

### ***Drawings***

2. The new formal drawings were received on 9 December 2006. These formal drawings are accepted by the examiner. The drawings are no longer objected to as being informal.
3. The drawings remain objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the package to house the components (in claim 9 and claim 23) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1, 2, 4-7, 13-21 and 26 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 9 and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 9 recites the limitation "a monitor photodetector chip, and a protective enclosure" in the tenth line of the claim. There is insufficient antecedent basis for this limitation in the claim. There has been no claim for a monitor photodetector chip, and a protective enclosure. How can there be a housing for enclosing devices or components that have not been claimed?

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1, 2, 4-7, 13-21 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,937,791 to Guy in view of U.S. Patent No. 4,753,520 to Silvergate.

Referring to claims 1 and 2, the Guy reference discloses an apparatus (10), comprising: a lens (14) fabricated from a single monolithic block of optically transparent material and configured to be used in a fiber optic transmitter, the lens including: a

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transmissive region (26) configured to transmit and focus light signals received from a light emitting source (12) onto a fiber optic cable (18) when the lens is used in the fiber optic transmitter; and a reflective region (14a) surrounding the transmissive region of the lens, the reflective region configured to reflect a portion of the light signal received at the at the reflective region of the lens. See Fig. 2 along with its respective portion of the specification. The Guy reference does not appear to specifically disclose that the lens (26,102,202), which forms the transmissive region, is formed from single monolithic block. The Silvergate reference discloses a similar focusing system where the monolithic block lens (10) includes a reflective region (24) surrounding an aspheric lens (26) acting as a transmissive region for focusing the light emitted from a light source and directing the focused light onto an optical component. See Fig. 1 of the Silvergate reference along with its respective portion of the specification. Since the Silvergate reference and the Guy reference are both from the same field of endeavor, the purpose disclosed by the Silvergate reference would have been recognized within the pertinent art of the Guy reference. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize an aspheric lens formed from the same monolithic block structure containing the reflective region for the purpose of focusing the light emitted by the light source and directing the focused light onto the optical component. Forming the entire structure including the focusing lens portion of the device as a single monolithic block would simplify the production process by eliminating the need to attach the lens to the block. Instead the lens could be formed in the same

injection molding process that formed the rest of the block, which would make the manufacturing process less expensive and more efficient.

Referring to claim 4, the Guy reference discloses the reflective surface (14a) may be curved in order to focus the reflected light onto a pre-designated location. See Fig. 2 along with its respective portion of the specification.

Referring to claims 5 and 6, both the Guy and Silvergate reference use air surrounding the device to form the light reflective surface of the light reflective region. In these devices, the air has been applied to the surface of the lens and is acting as the light reflective material or a reflective coating.

Referring to claim 7, the Guy reference discloses discloses that the single monolithic block (14) is made from plastics, such as a polycarbonate or an acrylic material.

Referring to claim 13, the Guy reference in view of the Silvergate reference discloses the lens as claimed, however neither reference specifically appears to discloses an array of the lenses. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize multiple lenses in an array, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Referring to claims 14-21 and 26, the Guy reference in view of the Silvergate reference all the limitations of the claimed invention except neither reference discloses an array of lenses integrated into a single monolithic block. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize

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multiple lenses in an array, since it has been held that mere duplication of the essential working parts of a device involves only routing skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8. It would also have been obvious to one having ordinary skill in the art at the time the invention was made to integrate the array of lenses into a single monolithic block, since it has been held that forming in one piece an device that is formed in two pieces and put together involves only routing skill in the art. *Howard v. Detroit Stove Works*, 150 U.S. 164 (1893). One would be motivated to have an array of lenses in order to direct the light from multiple sources into multiple fibers. One would have been motivated to integrate the lenses into a single monolithic block to simplify the manufacturing process and provide a more compact device.

***Allowable Subject Matter***

8. Claims 8, 10-12, 22, 24, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claims 9 and 23 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

10. The following is a statement of reasons for the indication of allowable subject matter:

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Referring to claims 8-12 and 22-25, the primary reason for the allowability of these claims is the inclusion of the photodetector receiving reflected light reflected off of the reflective regions of the lens.

### ***Conclusion***

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin S. Wood whose telephone number is (571) 272-2364. The examiner can normally be reached on Monday-Thursday (7am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney B. Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kevin S. Wood



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PRIMARY EXAMINER